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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SALTARELLI, DOMINIC D

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/729,904

Applicant(s)

BOUNTOUR ET AL.

Examiner

Dominic D. Saltarelli

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) 33-57 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed April 18, 2006 have been fully considered but they are not persuasive.

Regarding claim 27, applicant argues that Hendricks does not teach the amended limitation of a "feed from each video camera and an encoder coupled to each feed providing both at least one high resolution video output and a low resolution video output" (applicant's remarks, page 17, lines 13-15).

In response, this argument is moot in view of the new grounds of rejection provided below in view of Hosaka, because while Hendricks teaches displaying high and low resolution displays (larger window displays have a higher resolution than the smaller windows, as the images are reduced in size fit in the window and not cropped, reducing the resolution), it is Hosaka which teaches the use of plural encoders to provide high and low resolution video signals.

Regarding claims 1-26, applicant first argues that Hendricks does not teach "television content providers located at different venues throughout the world, each content provider having multiple video cameras already installed at a particular venue" (applicant's remarks, page 18, lines 1-10).

In response, Hendricks does in fact teach "television content providers located at different venues throughout the world, each content provider having multiple video cameras already installed at a particular venue", because

Hendricks teaches both multiple venues (remote sites 102) and multiple cameras at a remote site (page 10, first paragraph, and page 15, second paragraph), in addition to disclosing the invention is compatible with existing television broadcasting infrastructure (pages 45-58). It is well outside the realm of reason to state that Hendricks only discloses a single content provider having a single venue with multiple cameras installed. Applicants point to the first paragraph of page 10, which states "...numerous video cameras at a single remote site may be used to obtain different views and audio (preferably stereophonic) of the remote site from different angles and orientations. Also, numerous remote sites, each with its own video camera, may use used...", and then claim that Hendricks can only be disclosing a single remote site with plural cameras or plural remote sites each with a single camera, and could not anticipate applicant's claimed invention. Again, this is unreasonable by not taking into account the fact that the invention is disclosed as a merger of Internet technologies with existing television broadcasting. At the time of invention, existing television broadcast content providers had a great many cameras installed at thousands of venues across the world, venues such as nature watches, sporting events, live concerts, award ceremonies, and game shows to name a few. The Hendricks disclosure is a description of an invention which allows customers to access these broadcast content feeds over the Internet in an improved manner.

Further regarding claims 1-26, applicant argues that the teachings of Hosaka do not meet the claimed limitation of an "encoder coupled to each parallel lead" by stating that Hosaka's frame expander is not an encoder (applicant's remarks, page 19, lines 1-5).

In response, Hosaka's frame expander is an encoder, simply because an encoder is any device which formats electronic data, and because the frame expander is altering the format of input electronic data to produce a high resolution output, it is an encoder.

Lastly regarding claims 1-26, applicant argues that the combination of Hendricks and Hosaka does not teach the claimed limitation of "each encoder providing both at least one high resolution video output and a low resolution video output, both outputs being compatible with simultaneous delivery over internet delivery channels" (applicant remarks, page 19, lines 5-8).

In response, the high and low resolution outputs of the encoders taught by Hosaka are multiplexed together into a single bit stream for transmission (col. 1, lines 25-32), and thus the outputs are compatible with simultaneous delivery over internet channels *because* they are multiplexed together in a single bit stream. Any receiver receives both high and low resolution feeds *at the same time* (see Hosaka, col. 1, lines 43-48).

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2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 27 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The newly added limitation of "an encoder coupled to each feed providing both at least one high resolution video output and a low resolution video output" is not supported by the originally filed disclosure. Applicant's originally filed disclosure instead supports an array of encoders connected to the feed from each camera, each encoder providing an output of a single resolution (see page 25, lines 12-23 and page 33, 3B.01-3B.09). Therefore, the examiner must interpret the term "encoder" as used in claim 27 to refer to an array of at least two distinct encoder devices, as supported by applicant's originally filed specification.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1-27 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks et al. (WO 99/12349, listed on the IDS provided February 7, 2002) [Hendricks] in view of Hosaka et al. (6,020,923, of record) [Hosaka].

Regarding claims 1-26, Hendricks teaches a system for multiple camera broadcasting over the internet to a user's PC of events occurring at different venues through the world (figs. 2 and 4) comprising:

a plurality of television content providers location at different venues throughout the world (page 10, first paragraph), each content provider having multiple video cameras already installed at a particular venue in use for commercial television broadcasting (page 45, under the heading Broadcast Television and Cable Television);

an encoder (compression unit 118 shown in fig. 2, wherein the compression algorithms include MPEG encoding, page 10, second paragraph) coupled to each video camera providing output compatible with delivery over internet delivery channels (page 12, second paragraph);

a high bandwidth network coupled to said encoder and accessible over the internet (the network over which the audio-video outputs 116 shown in fig. 2 reach users, accessible from a web server 130, thus over the internet, page 10 last paragraph through page 11 first paragraph);

a streaming server coupled to said encoder (fig. 2, web site 130);

graphical user interface software stored at said streaming server (the HTML code resident on a web server that is utilized by a browser on a user's PC

to access the web server, as illustratively shown in fig. 14), and available to a user over the internet (an inherent feature, because accessing the contents of a web site is necessarily an internet communication), said interface software interactively providing a high resolution video signal to a PC display window and simultaneously lower resolution video signals from all other installed video camera for plural smaller monitor displays on the PC display (as shown in fig. 14, wherein the high resolution video signal is displayed in window 452 and the low resolution video signals are displayed in window 454) for enabling each user to become their own programming director of said multiple video cameras and create an enhanced ability to view said events on their P.C. display (page 35, lines 11-15) including simultaneous viewing of all of the feeds from the cameras in commercial use at a venue (page 34 line 11 - page 35 line 21 and fig. 14); and

a companion display provided on said PC display showing where said cameras are located (as outlined in the description of fig. 20 on page 44).

Hendricks fails to disclose a parallel lead from each such installed video camera, said parallel lead in no way comprises or degrades said installed cameras commercial television broadcasting, wherein the among the encoders, there is an encoder coupled to each parallel lead, each encoder providing both a high resolution video output and a low resolution video output.

In an analogous art, Hosaka teaches utilizing parallel leads from a video source (leads 1 and 4, shown in fig. 1) wherein an encoder is coupled to each parallel lead (encoder 2 is coupled to the low resolution lead, col. 6, lines 55-62

and frame expander 35 is connected to the high resolution lead, col. 7 line 66 – col. 8 line 7), for providing both a high resolution video output and a low resolution video output (fig. 1, output 8, col. 9, lines 5-16), providing a high efficiency coding method (col. 9, lines 23-31) for display of the data on different terminal displays of different resolutions using the same bit stream (col. 1, lines 5-33).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Hendricks to include parallel leads (which do not comprises or degrades said installed cameras commercial television broadcasting), an encoder coupled to each parallel lead, each encoder providing both a high resolution video output and a low resolution video output, as taught by Hosaka, for the benefit of providing a high efficiency coding method for display of the data on different terminal displays windows of different resolutions using the same bit stream.

Regarding claims 27, 31, and 32, Hendricks teaches an interactive entertainment system comprising:

- a plurality of cameras configured to offer different camera views of an event occurring at a particular venue (figs. 4-6, page 15);

- a feed from each camera (see figs. 3A-B);

- an encoder (compression unit 118 shown in fig. 2, wherein the compression algorithms include MPEG encoding, page 10, second paragraph)

coupled to each feed providing output compatible with delivery over internet delivery channels (page 12, second paragraph);

a back-end information network configured to receive camera outputs from each of a plurality of cameras located at said venue (fig. 2), identify a consumer and associated display device (the user is accessing the camera outputs via the internet through a web server, page 33, and thus it is inherent that the back-end network identifies the consumer and associated display device because the connection between the server and the consumer is a point to point connection as required by TCP/IP, as both the user's terminal and the web server are informed of each other's IP address), and dynamically assemble the respective camera outputs into a front-end version (such as shown in fig. 14) based on the consumer's preference (the user selects the video image sizes and the number of images to be displayed, page 34, third paragraph) and the display device's specifications (the display is assembled in a manner that is limited by the particular equipment the user is operating, page 34, third paragraph);

a delivery infrastructure configured to transmit the front-end version to the consumer (the network over which the audio-video outputs 116 shown in fig. 2 reach users); and

an access device (remote user's terminal, page 33, first paragraph) configured to receive the front-end version for display (as shown in figs. 14 and 17), wherein the consumer selectively (paragraph 35, referring to the "Remote Control" option) views one of the camera views on a relatively larger screen

window (window 452 in fig. 14) and views the remaining camera views on a plurality of relatively smaller screen windows (window 454 in fig. 14), said larger screen window displaying a high resolution video signal and said smaller screen window displaying a low resolution video signal (as a larger window displays video with a higher resolution than a smaller window).

Hendricks fails to disclose an encoder coupled to each feed providing both at least one high resolution video output and a low resolution video output so that the larger screen window receives the high resolution video signal and said smaller screen windows receive the low resolution video signals.

In an analogous art, Hosaka teaches utilizing parallel leads from a video source (leads 1 and 4, shown in fig. 1) wherein an encoder is coupled to each parallel lead (encoder 2 is coupled to the low resolution lead, col. 6, lines 55-62 and frame expander 35 is connected to the high resolution lead, col. 7 line 66 – col. 8 line 7), for providing both a high resolution video output and a low resolution video output (fig. 1, output 8, col. 9, lines 5-16), providing a high efficiency coding method (col. 9, lines 23-31) for display of the data on different terminal displays of different resolutions using the same bit stream (col. 1, lines 5-33).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Hendricks to couple encoders to each feed, the encoders providing both a high resolution video output and a low resolution video output, as taught by Hosaka, for the benefit of providing a high efficiency

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coding method for display of the data on different terminal displays windows of different resolutions using the same bit stream.

Regarding claim 30, Hendricks and Hosaka disclose the system of claim 27, but fail to disclose the event is an athletic game.

Examiner takes official notice that it is notoriously well known in the art to broadcast athletic games so that viewers at home can watch live or recorded sporting events.

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Hendricks and Hosaka to include displaying athletic events, for the benefit of allowing viewers at home to watch live or recorded sporting events.

6. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks and Hosaka as applied to claim 27 above, and further in view of Carpenter (6,745,245, of record).

Regarding claim 28, Hendricks and Hosaka disclose the system of claim 27, and Hendricks additionally discloses the back-end information network provides the number and type of camera views delivered to the consumer (pages 10 and 11, wherein the back end network is illustrated in fig. 2 and end product delivery of the camera views is illustrated in figs. 14 and 17), but fails to disclose

limiting resource access if the consumer elects not to pay for a pay-per-view event.

In an analogous art, Carpenter teaches limiting resource access to an Internet service based upon how much the user is willing to pay for said service (col. 11, lines 9-22), said service including pay-per-view events (col. 10, lines 46-47), wherein the payment of fees allows a user to access a more feature rich level of service (col. 10, lines 29-60), providing the benefit of tailoring access to Internet services in a manner much more flexible than traditional conditional access systems (col. 8, lines 30-43).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Hendricks and Hosaka to include limiting resource access from the back-end network based upon how much the user is willing to pay for access to said resources, said access comprising a pay-per-view event, as taught by Carpenter, for the benefit of tailoring access to the back-end network in a manner much more flexible than traditional conditional access systems. The resources being accessed by the user are the number and types of camera views provided by the back end network, and a consumer who elects not to pay for the pay-per-view event thus would receive only limited access to the number and types of camera views, wherein a consumer who paid the associated fee would be granted full, unlimited access to the number and type of camera views.

7. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks and Hosaka as applied to claim 27 above, and further in view of Dedrick (5,604,542, of record).

Regarding claim 29, Hendricks and Hosaka disclose the system of claim 27, and Hendricks additionally discloses transmitting advertisements simultaneously with the front-end version to the consumer (advertisements 402, page 33, third paragraph), but fail to disclose matching advertisements to the consumer's profile.

In an analogous art, Dedrick teaches inserting advertisements into a video stream by matching advertisements with consumer profiles, allowing advertisers to target their ads to particular consumer demographics (col. 3 line 56 - col. 4 line 6).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Hendricks and Hosaka to include matching advertisements to the consumer's profile, as taught by Dedrick, for the benefit of targeting advertisements to consumers, making the advertising more effective.

Conclusion

8. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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Certificate of Mailing

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic D. Saltarelli whose telephone number is (571) 272-7302. The examiner can normally be reached on Monday - Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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